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Patent
Attorney Docket No. 032722-571

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue Patent Application of)
U.S. Patent No. 4,984,972) **MAIL STOP - MSP**
Inventor: Earl W. CLAUSEN et al.)
Issue: January 15, 1991)
For CENTRIFUGAL BLOOD PUMP)

DECLARATION UNDER 37 C.F.R. § 1.175

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, Mark A. Sutter, a U.S. citizen, having a residence and mailing address at Dexter, Michigan, hereby declare that, as the President and CEO of Terumo Cardiovascular Systems Corporation ("Terumo"), the assignee of United States Letters Patent No. 4,984,972, I am authorized to act on behalf of Terumo which owns the entire title to U.S. Patent No. 4,984,972.

I believe Earl W. Clausen and Lloyd C. Hubbard to be the original, first and joint inventors of the subject matter which is described and claimed in U.S. Letters Patent No. 4,984,972, entitled "Centrifugal Blood Pump".

It is believed that U.S. Letters Patent No. 4,984,972 may be at least partly inoperative or invalid for the reason that it claims more than there was a right to claim.

That error is characterized by the fact that at least claims 1, 19 and 38 may be invalid over the disclosure of Laing U.S. Patent No. 3,771,910 granted on November 13, 1973 and of record in U.S. Letters Patent 4,984,972.


That error arose without any deceptive intention.

In view of the foregoing, U.S. Patent No. 4,984,972 should be reissued with the claims now presented or with claims commensurate in scope therewith.

WHEREFORE, the undersigned representative of the assignee requests a reissue patent as herein sought for the purpose of adequately, clearly and fully protecting the disclosed invention to which the arrangement is entitled.

The undersigned declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that the statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under § 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date 12/18/2003



Mark A. Sutter
President & CEO
Terumo Cardiovascular Systems Corporation

SUPPLEMENTAL REISSUE DECLARATION

-- REFERS TO PATENT NO. & NAME OF PATENTEE(S)

PTO/SB/52 (02-01)

Approved for use through 01/31/2004. OMB 0651-0033

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REISSUE APPLICATION DECLARATION BY THE ASSIGNEE		Docket Number (optional)
I hereby declare that: My residence and mailing address and citizenship are stated below next to my name. I am authorized to act on behalf of the following assignee: _____ and the title of my position with said assignee is: _____ The entire title to the patent identified below is vested in said assignee.		
Name of Patentee(s): _____		
Patent Number	Date of Patent Issued	
Title of Invention		
I believe said patentee(s) to be the original, first and sole/joint inventor(s) of the subject matter which is described and claimed in said patent, for which a reissue patent is sought on the invention entitled _____ the specification of which <input type="checkbox"/> is attached hereto. <input type="checkbox"/> was filed on _____ as reissue application number _____ / _____ and was amended on _____ (If applicable) I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56. I verily believe the original patent to be wholly or partly inoperative or invalid, for the reasons described below. (Check all boxes that apply.) <input type="checkbox"/> by reason of a defective specification or drawing. <input type="checkbox"/> by reason of the patentee claiming more or less than he had the right to claim in the patent. <input type="checkbox"/> by reason of other errors. At least one error upon which reissue is based is described as follows: [Attach additional sheets, if needed.] All errors corrected in this reissue application arose without any deceptive intention on the part of the applicant.		

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